

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

JOHN L. DELANEY, )  
Plaintiff )  
vs. ) Civil Action NO. 05-255J  
CAMBRIA COUNTY SHERIFFS ) Judge Kim R. Gibson/  
DEPARTMENT, ) Magistrate Judge Amy Reynolds Hay  
Defendant )

AND NOW, this 16<sup>th</sup> day of March, 2006, after the plaintiff, John L. Delaney, filed an action in the above-captioned case, and after a Motion to Dismiss was submitted by defendants, and after a Report and Recommendation was filed by the United States Magistrate Judge granting the parties ten days after being served with a copy to file written objections thereto, upon consideration of the objections filed by plaintiff, and upon independent review of the motion and the record, and upon consideration of the Magistrate Judge's Report and Recommendation, which is adopted as the opinion of this Court,

IT IS ORDERED that defendants' Motion to Dismiss is GRANTED;

IT IS FURTHER ORDERED that, pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, if the plaintiff desires to appeal from this Order he must do so within thirty (30) days by filing a notice of appeal as provided in Rule 3, Fed.R.App.P.

  
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KIM R. GIBSON  
United States District Judge

cc: Honorable Amy Reynolds Hay

United States Magistrate Judge

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